

EXHIBIT B-1

PLAINTIFFS' CONTESTED ISSUES OF FACT AND LAW

1. Whether the City of Plano intentionally discriminates against those with disabilities in violation of the FHA and ADA by arbitrarily restricting the number of disabled adults who can live together in a single family residence when (a) no similar limit applies to similarly situated adults without disabilities (b) the limit is not supported by evidence that it is necessary for the health, safety and welfare of other residents or to fulfill any other legitimate government purpose.
2. Whether the City of Plano made any effort to find factual support for the limit on the number of disabled residents who are permitted to live in a single-family home before passing each of the versions of its Zoning Ordinance that includes such limits.
3. Whether the City of Plano knew that the limits on the number of disabled residents who are permitted to live in a single-family home under its various Zoning Ordinances probably violated the Fair Housing Act and Americans with Disabilities Act but adopted those ordinances anyway.
4. Whether the City of Plano intentionally discriminated against those with disabilities in violation of the FHA and ADA when it adopted procedures for the consideration of accommodation requests that imposed requirements on such requests in addition to and in conflict with the requirements in the FHA and ADA.
5. Whether the City of Plano Zoning Ordinance has a disparate discriminatory impact on those with disabilities by forcing group homes for the disabled in general, and sober living facilities in particular to locate in smaller houses in less well-to-do neighborhoods, therefore violating the FHA and ADA.

6. Whether the City of Plano Board of Adjustment discriminated against the Plaintiffs in violation of the FHA and ADA when it denied their request for accommodation to allow fifteen women to occupy the Stoney Point Home. In particular

- a. Whether the residents of the Stoney Point Home have a handicap or disability as defined in the Fair Housing Act,
- b. Whether the requested accommodation was necessary for the residents of the Stoney Point Home to equally use and enjoy the dwelling of their choice,
- c. Whether the requested accommodation was reasonable,
- d. Whether the requested accommodation posed a direct threat to the health and safety of others,

7. Whether Constance Swanston suffered actual damages as a result of discriminatory acts by the City of Plano or Board of Adjustment and if so in what amount.

8. Whether Women's Elevated Sober Living LLC suffered actual damages as a result of discriminatory acts by the City of Plano or Board of Adjustment and if so in what amount.

9. Whether punitive damages should be awarded against the City of Plano and Board of Adjustment.

10. Whether and what kinds of injunctive relief should be awarded against the City of Plano and Board of Adjustment.

11. Whether the Plaintiffs are entitled to recover their reasonable and necessary attorney's fees in this case and if so in what amount.

12. Whether the Plaintiffs are entitled to recover their costs and other litigation expenses in this case and if so in what amount.